

SDNY (Rev. 10/2006) Pro Hac Vice Motion to Admit Counsel

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TABERNA CAPITAL Plaintiff,
MANAGEMENT, LLC,

08 cv 1817 (JSR)

- against -

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

SIDNEY B. DUNMORE, Defendant.
MICHAEL A. KANE, and DHI
DEVELOPMENT f/k/a
DUNMORE HOMES, LLC

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the

Southern and Eastern Districts of New York, I, David L. Neale, a member in good standing of
the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Michelle S. Grimberg
Firm Name: LEVENE, NEALE, BENDER, RANKIN & BRILL LLP
Address: 10250 Constellation Blvd, Ste. 1700
City/State/Zip: Los Angeles, CA 90067
Phone Number: (310) 229-1234
Fax Number: (310) 229-1244

Michelle S. Grimberg is a member in good standing of the Bar of the States of
California

There are no pending disciplinary proceeding against Michelle S. Grimberg
in any State or Federal court.

Dated:

City, State: Los Angeles, CA

Respectfully submitted,

Sponsor's
SDNY Bar DN 1948

Firm Name: LEVENE, NEALE, BENDER, RANKIN & BRILL LLP
Address: 10250 Constellation Blvd, Ste. 1700
City/State/Zip: Los Angeles, CA 90067
Phone Number: 310-229-1234
Fax Number: 310-229-1244

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

TABERNA CAPITAL
MANAGEMENT, LLC,

Plaintiff,

- against -

SIDNEY B. DUNMORE, MICHAEL A. KANE,
and DHI DEVELOPMENT f/k/a DUNMORE
HOMES, LLC,

Defendants.

: 08 CV 1817 (JSR)

: **AFFIDAVIT OF DAVID L. NEALE
IN SUPPORT OF MOTION TO
ADMIT COUNSEL PRO HAC
VICE**

State of California)

)

ss:

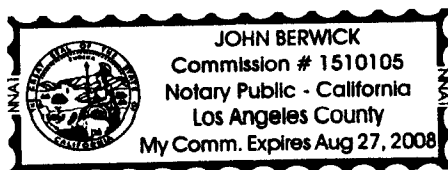
County of Los Angeles)

David L. Neale, being duly sworn, hereby deposes and says as follows:

1. I am of counsel at Levene, Neale, Bender, Rankin & Brill L.L.P., counsel for Defendant, Sidney B. Dunmore in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant motion to admit Michelle S. Grimberg as counsel pro hac vice to represent Defendant in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1988. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Michelle S. Grimberg since January 2007.
4. Ms. Grimberg is an associate at Levene, Neale, Bender, Rankin & Brill L.L.P.
5. I have found Ms. Grimberg to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Michelle S. Grimberg, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Michelle S. Grimberg, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Michelle S. Grimberg, pro hac vice, to represent Defendant in the above captioned matter, be granted.

Dated: March 6, 2008
Los Angeles, California
Notarized:



Respectfully submitted,

David L. Neale
DN 1948

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

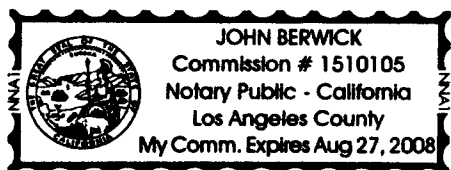
County of Los AngelesOn March 6, 2008 before me, John Berwick, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared David L. Neale

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

**RIGHT THUMBPRINT
OF SIGNER**
Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

**RIGHT THUMBPRINT
OF SIGNER**
Top of thumb here

Signer Is Representing: _____

Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TABERNA CAPITAL
MANAGEMENT, LLC,

Plaintiff,

08 cv 1817 (JSR)

- against -
SIDNEY B. DUNMORE, MICHAEL A. Defendant.
KANE, and DHI DEVELOPMENT f/k/a
DUNMORE HOMES, LLC,

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of David L. Neale attorney for Sidney B. Dunmore
and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Michelle S. Grimberg
Firm Name: LEVENE, NEALE, BENDER, RANKIN & BRILL L.L.P.
Address: 10250 Constellation Blvd., Ste. 1700
City/State/Zip: Los Angeles, California 90067
Telephone/Fax: (310) 229-1234 310-229-1244
Email Address: MSG@LNBRB.COM

is admitted to practice pro hac vice as counsel for Sidney B. Dunmore in the above
captioned case in the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the Rules governing
discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall
immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice
fee to the Clerk of Court.

Dated:
City, State:

United States District/Magistrate Judge



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

March 4, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, MICHELLE M. SHARONI, #217327 was admitted to the practice of law in this state by the Supreme Court of California on December 4, 2001; that at her request, on June 15, 2007, her name was changed to MICHELLE SHARONI GRIMBERG on the records of the State Bar of California; that she has been since the date of admission, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over a horizontal line.

Kath Lambert
Custodian of Membership Records

ORIGINAL

LEVENE, NEALE, BENDER, RANKIN & BRILL L.L.P.
BETH ANN R. YOUNG (State Bar No. 143945)
MICHELLE S. GRIMBERG (State Bar No. 217327)
GIL HOPENSTAND (State Bar No. 225899)
10250 Constellation Boulevard, Suite 1700
Los Angeles, California 90067
Telephone: (310) 229-1234
Facsimile: (310) 229-1244

Attorneys for Defendant Sidney B. Dunmore

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TABERNA CAPITAL MANAGEMENT, LLC,

Plaintiff,

- against -

SIDNEY B. DUNMORE, MICHAEL A. KANE,
And DHI DEVELOPMENT f/k/a DUNMORE
HOMES, LLC,

Defendants.

: Case No. 08 CV 1817 (JSR)

:

: **AFFIRMATION OF SERVICE OF:**
: **MOTION TO ADMIT COUNSEL**
: **PRO HACE VICE AND RELATED**
: **DOCUMENTS**

: **(APPLICANT: MICHELLE S.**
: **GRIMBERG)**

:

AFFIRMATION OF SERVICE

I, Angela Antonio, declare under penalty of perjury that I have served copies of the following documents:

1. Motion to Admit Counsel Pro Hac Vice;
2. Affidavit of David L. Neale in Support of Motion to Admit Counsel Pro Hac Vice;
and
3. Order for Admission Pro Hac Vice on Written Motion

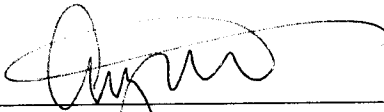
upon:

Kenneth G. Roberts
James L. Simpson
WOLF, BLOCK, SCHORR AND SOLIS-COHEN LLP
250 Park Avenue
New York, NY 10177

Krista J. Dunzweiler
DIEPENBROCK HARRISON
400 Capitol Mall, Suite 1800
Sacramento, CA 95814

by mail.

Dated: Los Angeles, California
March 6, 2008



Angela Antonio
LEVENE, NEALE, BENDER, RANKIN
& BRILL L.L.P.
10250 Constellation Boulevard, Suite 1700
Los Angeles, California 90067
Telephone: (310) 229-1234